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Attorneys for KEBIN REYES, a minor, by and  
 through his father and guardian, NOE REYES

# UNITED STATES DISTRICT COURT

## NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

KEBIN REYES, a minor, by and through his  
 father and guardian NOE REYES,

Plaintiff,

v.

NANCY ALCANTAR, San Francisco Field  
 Office Director for Detention and Removal  
 Services, Immigration Customs Enforcement, in  
 her individual capacity; JOHN P. MARTINEZ,  
 in his individual capacity; GREGORY J.  
 WILLIAMS in his individual capacity;  
 UNITED STATES OF AMERICA, and DOES  
 3 through 50 inclusive,

Defendant.

Case No. C07-2271-SBA

## STIPULATION AND ORDER VACATING ORDER OF DISMISSAL AND REFERRING CASE TO MAGISTRATE JUDGE LAPORTE FOR DETERMINATION OF MOTION TO APPROVE THE COMPROMISE OF MINOR'S CLAIMS

1 WHEREAS, plaintiff Kebin Reyes, a minor, filed a complaint in this action on April 25,  
2 2007, and an amended complaint on November 19, 2007, and all defendants have answered the  
3 amended complaint;

4 WHEREAS, a settlement conference was held in this matter in front of Magistrate Judge  
5 Elizabeth Laporte on March 7, 2008, and all defendants, and plaintiff, through his guardian ad  
6 litem Noe Reyes, agreed to a settlement on the terms stated on the record;

7 WHEREAS, on March 11, 2008, the Court, ordered that the action and all claims be  
8 dismissed;

9 WHEREAS, the parties respectfully request that the Court vacate its March 11 Order  
10 Dismissing Action so that the Court may retain jurisdiction to consider a Motion to Approve the  
11 Compromise of Minor's Claims pursuant to California Code of Civil Procedure Section 372 and  
12 federal law;

13 WHEREAS, the parties respectfully request that this matter be referred to Magistrate Judge  
14 Elizabeth Laporte pursuant to 28 U.S.C. Section 636(c) to determine a Motion to Approve the  
15 Compromise of Minor's Claims;

16 NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties hereto  
17 through their respective attorneys of record that:

- 18 1. The Court's March 11, 2008 Order Dismissing Action is vacated;

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2. In accordance with the provisions of Title 28 U.S. C. Section 636(c), each of the undersigned parties hereby voluntarily consents to have Magistrate Judge Elizabeth Laporte determine a Motion to Approve the Compromise of Minor's Claims, and thereafter to order the entry of a final order of dismissal or judgment, as may be appropriate.

Agreed and respectfully submitted,

Dated: March 17, 2008

COBLENTZ, PATCH, DUFFY & BASS, LLP

By: /s/ Howard A. Slavitt  
HOWARD A. SLAVITT  
Attorneys for KEBIN REYES, a minor, by and  
through his father and guardian, NOE REYES

Dated: March 17, 2008

ASSISTANT UNITED STATES ATTORNEY

By: /s/ Edward Olsen  
EDWARD OLSEN  
Attorney for Defendants Nancy Alcantar,  
John P. Martinez, Gregory J. Williams, and the  
United States of America

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**ORDER**

Based on the written stipulation of the parties and good cause appearing in support thereof, it is hereby ordered that:

1. The Court's March 11, 2008 Order Dismissing Action is vacated;
2. In accordance with the provisions of Title 28 U.S. C. Section 636(c), Magistrate Judge Elizabeth Laporte shall determine a Motion to Approve the Compromise of Minor's Claims, and shall thereafter order the entry of an order of dismissal or judgment, as may be appropriate.

**IT IS SO ORDERED.**

DATED: March 18, 2008

  
United States District Judge

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